

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 400200)

In re Larry F. Weber et al.
Reexamination Proceeding
Control No. 90/006,396
Filed: October 11, 2002
For: U.S. Patent No. 5,081,400

6548 U.S.PTO



02/28/05

In re Larry F. Weber et al.
Reexamination Proceeding
Control No. 90/006,610
Filed: April 18, 2003
For: U.S. Patent No. 5,081,400

Art Unit: 2821

Examiner: Haissa Philogene

To: MAIL STOP: EX PARTE REEXAM
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR EXTENSION OF TIME TO RESPOND TO OFFICE ACTION

Dear Sir:

The patent owner, the Board of Trustees of the University of Illinois, requests that the time for response to the Office Action dated January 5, 2005, be extended for two months, from March 5, 2005 to May 5, 2005. There is good and sufficient cause for this extension, based on the following:

1. The patent that is being reexamined is in litigation, and the relatively complex Office Action, the prior art, the issues and the response have to be reviewed by a number of different people;

2. The Office Action is relatively complex and needs substantial analysis and work to provide a proper response;

3. In addition to handling regular patent application preparation and prosecution, George Gerstman, who is the attorney of record in this reexamination, is presently lead counsel in three active interferences before the U.S. Patent and Trademark Office: Interference Nos. 105,222; 105,223 and 105,230;
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4. Mr. Gerstman is presently lead counsel in an active litigation in the Southern District of Florida;

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EXPRESS MAIL CERTIFICATE

To: MAIL STOP: EX PARTE REEXAM
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

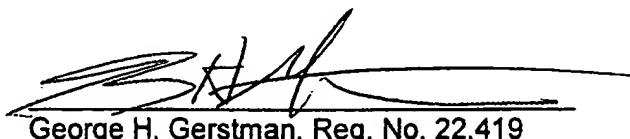
Dear Sir:

"Express Mail" label number EV 534641789 US

Date of Deposit: February 28, 2005

I hereby certify that the following Request for Extension of Time to Respond to Office Action is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

MAIL STOP: EX PARTE REEXAM
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



George H. Gerstman, Reg. No. 22,419

5. Mr. Gerstman plans to have a personal interview with the Examiner handling this reexamination at the PTO; and

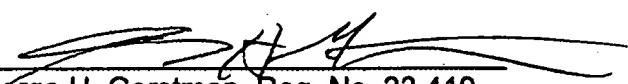
6. Additional time is needed for Dr. Weber, one of the inventors, to coordinate his schedule with Mr. Gerstman's schedule.

It is believed that a two month extension of time will enable counsel to prepare an appropriate response to the Office Action.

The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 19-1351.

Respectfully submitted,
SEYFARTH SHAW LLP

Dated: February 28, 2005


George H. Gerstman, Reg. No. 22,419
Attorney for Patent Owner

SEYFARTH SHAW LLP
55 East Monroe Street, Suite 4200
Chicago, Illinois 60603

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing REQUEST FOR EXTENSION OF TIME TO RESPOND TO OFFICE ACTION has been served via First Class Mail, postage prepaid to:

E. Thomas Wheelock
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, CA 94304

this 28 day of February, 2005.

